

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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**MARY T. BUSCH,**

Civil No. 04-4315 (JNE/JGL)

Plaintiff,

v.

**O R D E R**

**JO ANNE B. BARNHART, Commissioner of  
the Social Security Administration,**

Defendant.

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APPEARANCES

John C. Peterson, Esq. for Plaintiff

Lonnie F. Bryan, Esq. for Defendant

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Based upon the Report and Recommendation by Chief United States Magistrate Judge

Jonathan Lebedoff dated August 5, 2005; all the files, records and proceedings herein; and no

objections having been filed to that Report and Recommendation;

**IT IS HEREBY ORDERED:**

- (1) Ms. Busch's Motion for Summary Judgment (Doc. No. 8) is **DENIED**; and
- (2) The Commissioner's Motion for Summary Judgment (Doc. No. 10) is **GRANTED**.

Dated: August 23, 2005

s/ Joan N. Erickson  
JOAN N. ERICKSEN  
United States District Court